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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/945,126	
	Filing Date	08/31/2001	
	First Named Inventor	Carnevali, Jeffrey D.	
	Group Art Unit	3727	
	Examiner Name	Brevard, M.	
Total Number of Pages in This Submission	12	Attorney Docket Number	NPI-009

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ENCLOSURES (check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Charles J. Rupnick (Reg. No.: 43,068)
Signature	
Date	August 24, 2002

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R. Kent
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w/Drawgs.
Amendment
Attorney Docket No.: NPI-009



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Carnevali, Jeffrey D.)

20 Serial No.: 09/945,126)

Filed: 08/31/2001)

25 Title: Quick Release Tool
Mounting Bracket)

Group No.: 3727)

30 Examiner: Brevard, M.)

Box: Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

35 Sir:

In response to the Restriction Requirement dated July 31, 2002, please enter the following Amendment:

IN THE DRAWINGS

Please substitute the attached Figures 1 and 2.



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R Kent
9-18-02

Response to Restriction Requirement
Attorney Docket No. NPI-009

#4 / Election

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Carnevali, Jeffrey D.)
Serial No.: 09/945,126)
Filed: 08/31/2001)
Title: Quick Release Tool)
Mounting Bracket)
Group No.: 3727)
Examiner: Brevard, M.)

Response to Restriction
Requirement
Under 37 C.F.R. § 1.142

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement mailed on July 24, 2002, the Applicant elects with traverse the species of the invention embodied in Figure 3 and claims 1-20 reading thereon, for prosecution on the merits in the present application.

The Applicant traverses the Restriction Requirement based on the following grounds. The Applicant believes that the invention of Figures 4-11 are species of the invention that are related to and not distinct from the species of the invention embodied in Figure 3 and claimed in claims 1-20.

The invention embodied in Figure 3 is directed to a tool bracket 10 including a holder 12 having a forked portion 14 formed of a pair of interconnected tines 16 projecting from a neck portion 18, each of the tines 16 is optionally tipped with a keeper 20. The neck 18 is joined to a foot portion 22, which is joined for relative rotation with a cooperating shoe portion 24. The shoe 24 is part of a mounting base 26 that is generally configured for attachment to a motorized vehicle, such as an automobile, truck, van, sport utility vehicle (SUV), ATV, or boat. The cooperating foot 22 and shoe 24 portions each include internal structure for engaging a biasing member 28 that is structured apply a rotational biasing force that acts between the holder 12 and the mounting base 26 through the respective cooperating foot 22 and shoe portions 24. The biasing member 28 is structured to urge the foot 22, and thus the interconnected neck 18 and tines 16, to rotate relative to the foot 22 portion of the mounting base 26 when the mounting base 26 is attached to any relatively stationary fixed or movable structure, including the cargo deck or rack of a motorized vehicle, such as an ATV. The holder portion 12 of the bracket invention includes the forked portion 14 as a means for engaging and retaining the elongated handles or other elongated structural portions of various tools, including but not limited to, garden tools such as rakes and shovels, household tools such as brooms and mops, sports equipment such as archery bows and rifles, building supplies such as lumber and pipes, and similarly shaped tools. The forked portion 14 includes, for example, a pair of spaced-apart tines 16 that are relatively upright when mounted as intended on the fixed or movable structure. See, Specification at page 4, line 13 - page 5, line 3.

The invention as embodied in Figures 4-11 is similarly directed to a tool bracket 10 including a holder 12 having a forked portion 14 formed of a pair of interconnected tines 16 projecting from a neck portion 18 joined to a foot portion 22, which is joined for relative rotation with a cooperating shoe portion 24. The shoe 24 is part of a mounting base 26. The cooperating foot 22 and shoe 24 portions each include internal structure for engaging a biasing member 28 that is structured apply a rotational biasing force that acts between the holder 12 and the mounting base 26 through the respective cooperating foot 22 and shoe portions 24. Figures 4, 5, 8 and 9 illustrate different embodiments of the biasing member 28. Figures 6 and 7 illustrate the operation of pairs of the tool bracket 10 having complementary oppositely and identically acting biasing members 28.

Figures 10 and 11 illustrate the interface between the foot 22 and shoe 24 portions of the respective holder 12 and mounting base 26.

5 The record of the Specification, Drawings and Claims as filed thus clearly identify the species of the invention illustrated in Figures 4-11 as being obvious variants of the species of the invention illustrated in Figure 3. Furthermore, the Applicant takes this opportunity to state clearly for the record that the species of the invention illustrated in Figures 4-11 are obvious variants of the species of the invention illustrated in Figure 3.

10 Thus, the claims 1-20 as originally filed recite with varying scope substantially the same invention. Therefore, the Applicant respectfully requests reconsideration and withdrawal of the Restriction Requirement.

Additionally, the Applicant herewith submits an Amendment that corrects minor errors in the originally submitted Drawings and Specification.

No Fee is believed due for this response. If a Fee is due, please contact the undersigned at the telephone number given below.

15 If the Examiner has questions or wish to discuss any aspect of this response, the Examiner is encouraged to contact the undersigned at the telephone number given below.

Respectfully submitted,

20

Attorney:


Charles J. Rupnick

Registration No.: 43,068

Date: August 24, 2002

Post Office Address: PO Box 46752
Seattle, WA 98146

25

Phone Number: (206) 439-7956

Facsimile Number: (206) 439-3223